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GENERAL ASSEMBLY
Fiftieth session
Item 81 of the preliminary list*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 6 July 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit, enclosed herewith, a letter dated 5 July 1995 from His Excellency Mr. Vladislav Jovanović, Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under item 81 of the preliminary list, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

* A/50/50/Rev.1.

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ANNEX

Letter dated 5 July 1995 from the Minister for Foreign Affairs of Yugoslavia addressed to the Secretary-General

The decision of Germany to send its military personnel to the former Yugoslavia, i.e. the former Bosnia and Herzegovina, has caused understandable dismay, anxiety and serious concern in all sections of the Yugoslav public.

This decision, as you are well aware, is contrary to the rule according to which the troops of neighbouring countries and the former occupying countries are not to be engaged in the peace operation of the United Nations Protection Force (UNPROFOR). This act would be yet another serious infringement of the rule coming in the wake of the previous decision of the United Nations to engage Turkish troops in the former Bosnia and Herzegovina. In two world wars, Germany, as an aggressor, ruthlessly occupied the territory of the former Yugoslavia. In the territory of the former Bosnia and Herzegovina its armed forces carried out particularly monstrous atrocities and destruction against Serbs. A new presence of German troops in these territories would represent an open provocation and a threat to the peace process as well as to the stability of the region, which should be unacceptable to the international community.

It is also recalled that Germany played an exceptionally negative role in the initial phase of the Yugoslav crisis when it openly aided and abetted the secessionist republics of Slovenia and Croatia and was the first country to recognize their independence. This it did contrary to the position of the International Conference on the Former Yugoslavia in The Hague, according to which those republics were to be recognized only after a successful completion of the Conference, i.e. after the overcoming of political questions caused by their unilateral secession. Germany acted in the same way in the case of the former Bosnia and Herzegovina and exerted powerful pressure on other countries in the direction of its premature recognition despite the fact that the early recognition of Slovenia and of Croatia led to negative developments in the former Yugoslavia.

That this decision is very questionable indeed is reflected also in the fact that it has been taken at a time when some international factors continue to display their open bias in favour of one and to the detriment of the other side and peace, as well as of the entire peace process.

We also consider that the augmentation of military personnel and potentials in the former Bosnia and Herzegovina, even under UNPROFOR auspices, is not conducive to the improvement of negotiation conditions and a peaceful and just solution of the crisis but, on the contrary, that it enhances the possibilities for new provocations by the Muslim side, aimed at provoking an international military intervention against the Serbs in the former Bosnia and Herzegovina.

As is well known, the Federal Republic of Yugoslavia supports the role of UNPROFOR as a force which will keep, not impose, peace, calls for its full safety and condemns every act of violence against the peace force irrespective of the side it may come from. We consider that an equal treatment and impartial

attitude towards all parties to the conflict are the main preconditions both for the safety of the peace force and for UNPROFOR's contribution to the peace process. We are convinced that the dispatch of the German contingent can only worsen the situation.

It would only greatly discredit the United Nations peace force in these territories and put into question its good intentions and role as an impartial and objective factor. I am therefore writing to you with a request that the above reasons explaining the damage of a possible German presence in the territory of the former Yugoslavia be taken into account during the final consideration of the engagement of German troops by the United Nations. There are other acceptable and more effective ways for Germany, if it really wishes to do so, to make a contribution to the peace process and to demonstrate its importance and influence in Europe.

(Signed) Vladislav JOVANOVIĆ

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LETTER DATED 6 JULY 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to our note dated 29 June 1995 (S/1995/534), and upon instructions from my Government, I have the honour to transmit to Your Excellency, the attached note from H.E. Sayed Ali Osman Mohamed Taha, the Minister of Foreign Affairs of the Republic of the Sudan, regarding the recent military aggression by the armed forces of the Government of the Arab Republic of Egypt, on the Sudanese province of Halaib.

I request Your Excellency, to kindly circulate the attached note as a document of the Security Council.

(Signed) Hamid Ali ELTINAY
Chargé d'affaires a.i.

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Annex

Letter dated 6 July 1995 from the Minister for Foreign Affairs of the Sudan addressed to the President of the Security Council

Further to our earlier notes to you, the most recent being that dated 29 June 1995 (S/1995/534), concerning the aggression by the Government of the Arab Republic of Egypt against the Sudanese province of Halaib, we set forth below for your esteemed Council the developments and particulars that have emerged subsequent to our above-mentioned note:

1. At 2000 hours on 27 June 1995, the Egyptian forces made an armed attack on the Abu Ramad police station, using elite strike forces and breaking into the station after fighting and an exchange of gunfire. The Sudanese Police Force lost three men, First Lieutenant Mahmud, financial secretary, Constable (First Class) Anwar Mustafa and Constable Abidin Taha, who died as a result of his wounds. In addition, there were two disappearances. The remaining members of the force, 14 constables, officers and non-commissioned officers, were stripped of their weapons and detained at Abu Ramad blindfolded and with hands tied.

2. This attack coincided with similar attacks on the following locations:

(a) Shalatayn police post: the Sudanese force is eight men strong. Its position was raided by Egyptian forces, and the Sudanese force lost two men. Six non-commissioned officers and a constable were detained stripped of their weapons by the Egyptian forces.

(b) Badi' 11 post: as a result of the attack on it, two men from the Sudanese force disappeared, and seven returned with their weapons to Halaib.

(c) Nuss post: six men from the Sudanese force stationed at this post were forced to leave for the town of Halaib, while four others fled to Port Sudan.

(d) Sahil post: two members of the eight-men force died, and the remainder reached Halaib following the fighting that continued for nine hours.

3. At 0300 hours on 28 June 1995, the commander of the Halaib garrison arrived in Abu Ramad to reconnoitre the situation. He was not permitted to meet with the Egyptian commander and the detained police officers, who had in the mean time been taken to an Egyptian intelligence building 28 kilometres north of Halaib, known as the "White House". The garrison commander was obliged to return to Halaib, and, as soon as he had left, the detainees were moved to Abu Ramad, where they were photographed by video camera and received extremely bad treatment.

4. At 0500 hours on the same day, Wednesday, 28 June 1995, the detainees from Abu Ramad were moved to the western mountains near Nuss post and thence to the 22nd parallel crossing point.

5. On 29 June 1995, the Egyptian forces moved three of our wounded officers to the Ma'adi hospital for treatment. One of them was wounded in the lung and is still under treatment, but there is still no information on the other missing members of the force. The representative of the Sudanese Embassy in Cairo has not been allowed to know their condition.

6. At 0930 hours on Saturday, 1 July 1995, four Egyptian military aircraft (MIGs) flew in the direction of Abu Ramad to the 22nd parallel, with a view to terrorizing the inhabitants of Halaib. The Egyptian forces also broke the sound barrier repeatedly with Egyptian jet fighters and fired mortar shells that passed over the town and fell into the sea.

7. The members of the Sudanese Police Force who were detained and removed from the area were subjected to the looting of their assets, personal belongings and weapons by the Egyptian forces. Those attacks coincided with the distribution of leaflets to Sudanese citizens to evacuate the city, which inspired terror in citizens and induced them to flee their homes.

8. The town of Halaib was besieged by five Egyptian battalions, as against one Sudanese battalion inside the town. This latter was repeatedly prevented from obtaining drinking water that had previously been supplied from outside the town, and the Red Sea Governor was prevented from entering the town of Halaib.

(1) You will perhaps have noted from the above that the Egyptian Government is taking many steps and engaging in many organized military acts of aggression in open hostility against Sudanese territory, which constitutes a breach of international instruments and laws.

(2) The failure of the Government of the Arab Republic of Egypt to respond to the many calls of the Government of the Sudan for the resumption of dialogue and its application, at the same time, of military measures in Sudanese territory affirm the Egyptian Government's lack of will to resolve the dispute by peaceful means, and this constitutes a threat to peace, security and stability in the region as a whole.

(3) The Egyptian position has remained characterized by continuing persistence in the rejection of all efforts and initiatives by the Sudan to resolve the problem and deal with the dispute by bilateral negotiation and reflects Egyptian refusal and ongoing procrastination regarding the convening of any bilateral meetings between the Ministers for Foreign Affairs of the two countries within the framework of a joint commission.

(4) The Egyptian Government is acting in accordance with a policy of perpetuation of the status quo, the use of military provocation against the Sudan and insistence that Halaib is Egyptian and not subject to negotiation. This conflicts with the Charter of the United Nations and the principle of the inadmissibility of the use of force to annex the territory of others. While the Egyptian Government has continued to deny that the Halaib area is Sudanese and to claim that it is Egyptian and to reject negotiation concerning it with the Sudanese Government, it has unremittingly called on the Arab parties engaged in border disputes to negotiate and to seek to resolve those disputes by peaceful means. This constitutes a system of double standards and affirms its method of

imposing the policy of the fait accompli with regard to the occupation of the Sudanese Halaib. Moreover, the Egyptian Government itself negotiated with Israel regarding the recovery of the Taba area.

The Government of the Sudan reiterates its call to the Security Council to shoulder its responsibilities fully and to accord the necessary consideration to the question of Egyptian aggression against the Sudan by exerting the necessary pressure on the Egyptian Government to carry out the following:

(a) To accept international arbitration on the question of the dispute regarding Halaib; non-resort to the use of force; and the immediate commencement of action to resolve the dispute by peaceful means in accordance with the principles of the Charter of the United Nations;

(b) To withdraw the Egyptian military presence from the Halaib area and to refrain from applying a policy of perpetuation of the fait accompli and confirmation of Egyptian occupation of the area, with payment of compensation to the families of the victims of its attacks.

I reaffirm the readiness of the Government of the Sudan to make every possible effort with a view to arriving at a peaceful solution of the problem of Halaib that will embody the ties of brotherhood between the Sudanese and Egyptian peoples, within the framework of their principles of good neighbourliness and international cooperation and with full commitment to international and regional instruments.

(Signed) Ali Osman Mohamed TAHA
Minister for Foreign Affairs of
the Republic of the Sudan

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Agenda item 74
PROTECTION AND SECURITY OF
SMALL STATES

SECURITY COUNCIL
Fiftieth year

Letter dated 3 July 1995 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a copy of a press release dated 30 June 1995 issued by the Ministry of Foreign Affairs of Ecuador announcing the simultaneous repatriation of four Ecuadorian and 11 Peruvian citizens who had been detained in Peru and Ecuador, respectively, as a result of this year's armed conflict between Ecuador and Peru.

I should be grateful if you would have this note and its annex distributed as a document of the General Assembly, under agenda item 74, and of the Security Council.

(Signed) Guillermo G. CAMACHO
Counsellor
Chargé d'affaires a.i.

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Annex

Press release dated 30 June 1995 issued by the Ministry of Foreign Affairs of Ecuador

The Ministry of Foreign Affairs has announced that, as a result of the talks held last week at Brasilia between the Deputy Ministers for Foreign Affairs of Ecuador and Peru, the Ecuadorian and Peruvian citizens detained in Peru and Ecuador, respectively, as a result of the armed conflict will be repatriated simultaneously within the next few hours.

The repatriation decision was motivated by the Government's desire to enable the four Ecuadorians held in Peru to return home as soon as possible and resume their normal lives. Furthermore, the Ministry of Foreign Affairs, with the support and collaboration of the relevant military and police authorities believed that the repatriation process would make a genuine and effective contribution to the improvement of relations between Ecuador and Peru.

The Ecuadorian citizens who will be returning to the country this evening are: Wilfrido Maquilón Bustamante, Eddy Roberto Mora Barba, José Felington Yayguaje Caimito and Victor Augusto Tengoy Machoa; these last two Ecuadorians had been sentenced to 18 years' imprisonment for espionage by the Supreme Council for Military Justice of Peru.

The Peruvian citizens who are to be repatriated are the following: soldiers: Daniel Cisniegas Campos and Gerardo Francisco Paiva Quishpe; accused of spying: Percy Chavarría Leiva, José Meza Salinas, Edgar Seminario Cobeñas, José Timena Sandoval and José Rojano Gonzalez; accused of ordinary crimes: Jorge Enrique Minope Carvajal, Marco Antonio Minope Carvajal, José Rodrigo Avila Barba and Juan Revollar Estrada.

Ecuador, which has consistently demonstrated its respect for and strict observance of humanitarian law, has thus complied with the provisions of article 118 of the third Geneva Convention relative to the Treatment of Prisoners of War.

The International Committee of the Red Cross (ICRC) worked closely with the Ecuadorian authorities to bring to a satisfactory conclusion the efforts begun several months ago by the Ministry of Foreign Affairs to secure the simultaneous repatriation of prisoners. The ICRC representative, Mr. Jean-Pierre Givel, and a doctor from that organization, Dr. Daniel Kock, visited the prisoners this morning. Dr. Kock certified that the Peruvian citizens are in good physical and mental health and will accompany them back to Lima.

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LETTER DATED 6 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you of Kuwait's position with respect to the developments that have taken place in connection with Iraq's failure to discharge its obligations under the Security Council resolutions relating to its aggression against the State of Kuwait, in particular resolution 687 (1991), the cease-fire resolution, since the Council's most recent review of the sanctions regime on 12 May 1995.

We convey to you hereunder the most salient of those issues with respect to which Iraq continues to engage in evasion and procrastination, in open defiance of United Nations resolutions.

I. KUWAITI AND THIRD-COUNTRY PRISONERS AND HOSTAGES

This humanitarian issue remains unresolved because of the delaying tactics of the Iraqi regime and its refusal to cooperate with the tripartite committee and the International Committee of the Red Cross in order to solve the problem, which is a direct consequence of the invasion and occupation of the State of Kuwait. In this regard, the allegations contained in the letter dated 25 May 1995 from the representative of the Iraqi regime addressed to the President of the Security Council (S/1995/446), are both strange and surprising. Indeed, this letter contains a large number of untruths designed to distort reality and persuade the members of the Security Council and the international community that Iraq is determined to respect its obligation as laid down in the Council's resolutions. Thus, the letter from Iraq contains the following untruths:

1. Iraq has processed some 230 dossiers on missing Kuwaitis and others;

2. The remains of one Kuwaiti who had been included in the number of the missing were handed over to his relatives;

3. It was ascertained that a number of missing Kuwaitis had died in numerous incidents;

4. Iraq is cooperating with the tripartite committee and the technical subcommittee and accuses Kuwait of obstructing the work of the tripartite committee to solve the problem;

5. The representative of Iraq denies that his country refused to sign the minutes of the most recent meeting of the tripartite committee, which was held at Geneva on 7 April 1995, and claims that none of the parties signed the document when Kuwait insisted on imposing political conditions that bore no relation to the humanitarian issue on which the meeting had been convened;

6. Kuwait has proceeded to politicize the question of the prisoners and give currency to misinformation and disinformation on the deliberations of the subcommittee.

All these allegations by Iraq are totally unfounded and this is evident for the following reasons:

1. The figure of 230 dossiers appearing in the letter from Iraq exists only in the imagination of its author since the International Committee and Kuwait had no information in support of this figure;

2. The words "a number of dossiers have been processed" are a fabrication. Instead of providing clear replies concerning the dossiers that were sent to it, Iraq is attempting to cast doubt on some dossiers (like the question of the right of Kuwait to claim non-Kuwaiti prisoners). More than 21 cases fall into this category;

3. The number of dossiers which can be said to have been processed by Iraq does not exceed 23. Even with regard to these dossiers Iraq merely stated that the persons involved were in fact arrested and transferred to Iraq or allegedly disappeared during the popular uprising that took place in the southern part of that country. By means of this ploy the Iraqi regime is seeking more to evade its responsibility than to attempt to clear up the question of the prisoners and missing persons;

It is not enough to say that the remains of a Kuwaiti prisoner were returned. It is still necessary to prove that the remains are of the person in question. Iraq has not provided sufficient medical data for this purpose;

5. Similarly, the allegation that it was ascertained that some missing Kuwaitis had died can be only a further fabrication since Iraq has provided Kuwaiti authorities with only general and imprecise information stating that those persons were killed in clashes with Iraqi occupation forces in Kuwait, without precisely indicating the area of the operations or the place where they died and without providing burial permits or any documents in support of those allegations;

6. Iraq, which for several years has no longer been participating in the work of the tripartite committee, is continuing to disturb the committee's work,

unlike Kuwait, which has sought to attend its meetings and accepted the establishment of the technical subcommittee as well as the transfer of the meeting place from Geneva to the frontier zone;

7. The assertion that none of the parties signed the minutes of the most recent meeting of the tripartite committee, held at Geneva on 7 April 1995, is also erroneous because, owing to the refusal by Iraq to sign the minutes, which had been drawn up by the International Committee of the Red Cross and not by Kuwait, the meeting did not yield results, whereas Kuwait and the other countries of the coalition had accepted the contents of the minutes without any changes. The paragraph rejected by Iraq only confirmed Iraq's international obligations concerning the question of the prisoners;

8. The allegation that Iraq is cooperating with the International Committee is also false since no Kuwaiti prisoner has been released in the past four years, unless cooperation for Iraq means attending meetings of the tripartite committee without achieving tangible results, particularly since the representative of the Iraqi regime has been attending those meetings only since last summer;

9. The assertion that Kuwait is attempting to politicize the issue of the prisoners is refuted by the real state of affairs. Indeed, Kuwait has always insisted that the question of the prisoners should be considered by the International Committee of the Red Cross, unlike Iraq, which has made several attempts to avoid it, at times by proposing a solution within an Arab framework, at others by proposing consultations among the countries concerned or a solution within a parliamentary framework. All these proposals are, to say the least, but an attempt to obstruct the efforts made by the International Committee of the Red Cross;

10. Kuwait wishes to inform the Security Council about new developments with regard to the question of the prisoners because this matter falls within the responsibilities of the Council, as explicitly stated in resolutions 686 (1991) and 687 (1991). Iraq's manoeuvres and exaggerations will not prevent Kuwait from keeping the question of the prisoners, with its attendant tragedies, on the agenda of the international community. It will not allow the Iraqi regime to evade its responsibilities in this regard in accordance with the third and fourth Geneva Conventions and the relevant Security Council resolutions.

There is no doubt, as we indicated in our previous letter, that the Iraqi regime is unaware of the scale of the human suffering caused by the illegal imprisonment of the Kuwaiti and other prisoners because that regime is itself responsible for the suffering of its own people, about which it is totally unconcerned, as is proved by the following facts:

1. The procrastination by the Iraqi regime in order to prevent the implementation of the Security Council resolutions concerning the lifting of the embargo if Iraq respects the provisions of those resolutions. If Iraq really intended to respect its obligations, it would not have waited four years in order to comply with them only partially;

2. The refusal by Iraq to implement resolutions 706 (1991) and 712 (1991), which authorize it to export some of its petroleum in order to meet the humanitarian needs of the Iraqi people;

3. Its refusal to implement resolution 986 (1995), which is intended to alleviate the suffering of the Iraqi people.

These facts refute the allegations by the Iraqi regime that Kuwait is seeking, by means of its policy and demands, to extend the embargo and increase the suffering of the Iraqi people.

Kuwait is one of the countries that provided and is continuing to provide hundreds of tons of food aid, through the Kuwaiti Red Crescent, to Iraqi refugees situated in the Islamic Republic of Iran. This aid is distributed in cooperation with the Iranian Red Crescent.

Neither Kuwait nor the other countries that are requiring Iraq to implement the resolutions are responsible for the sufferings of the Iraqi people, which are the result of the practices and policies of the Iraqi regime.

Kuwait urges the members of the Security Council to continue their efforts and maintain their position of principle in order to exert pressure on Iraq to ensure that it respects its obligations under paragraph 30 of resolution 687 (1991), by continually reminding it that the matter involves a humanitarian question which cannot be the object of the bargaining and procrastination to which the Iraqi regime is accustomed in the implementation of the Council's resolutions.

II. RETURN OF PROPERTY SEIZED BY IRAQ DURING ITS OCCUPATION OF KUWAIT

Iraq's apparent and selective cooperation with regard to this question is confirmed by its delaying tactics with regard to returning the stolen property and the deliberate sabotage and destruction of Kuwaiti property, military and civilian, before its return. Indeed, most of the property and equipment stolen and returned by Iraq is damaged and unusable.

In a crude attempt to evade its responsibilities and obligations in this regard as laid down in the Security Council resolutions, the representative of Iraq to the Committee on the return of property, referring to the official documents containing the list of the property returned, stated that the property and equipment taken from Kuwait during the occupation were in the same condition as when they were returned.

If what Iraq says is true, which is totally illogical, why was this property transferred if it was already damaged? Furthermore, some property has not yet been returned, including:

1. Some 200 armoured vehicles that remain in Iraq's possession and that it used in its military deployments last October near its boundaries with Kuwait;

2. The HAWK missile system;

3. The official documents looted by Iraqi forces from the Office of the Amir, the Office of the Crown Prince, the Cabinet Office and the Ministry of Foreign Affairs, and which cannot be regarded as property such as that referred to the United Nations Compensation Commission;

4. The private-sector property that was stolen and whose value exceeds hundreds of millions of dollars. It was shipped to Iraq on the basis of inventories drawn up by Iraqi ministries and signed and stamped by designated government agencies that came to Kuwait to supervise the theft and removal operations. Kuwait has in its possession originals and copies of such documents left behind by the Iraqi regime on its ejection.

The Iraqi regime has a responsibility to comply fully with the letter and spirit of all the Security Council resolutions relating to its aggression against Kuwait and to demonstrate good faith in implementing those resolutions. The policies and practices of this regime, however, constantly provide grounds for doubts concerning its intentions, even after it has discharged some of its obligations. As a consequence of the foregoing, the Security Council, given its legal and political responsibilities and its knowledge of and experience with the methods and manoeuvres of the Iraqi regime, must assess Iraq's willingness in light of the intentions which it expresses and must oblige Iraq to take the necessary steps for the effective and genuine implementation of all the relevant Security Council resolutions with a view to ensuring the establishment of stable peace in the Arabian Gulf region.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

UNITED NATIONS **S**

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LETTER DATED 5 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

This is the second letter I am writing to the President of the Security Council concerning the training and rearming of the militia and soldiers of the former regime of Rwanda in neighbouring countries, a development which is a threat to Rwanda and to the subregion. The first letter on the matter was dated 16 March 1995.

My first letter was a request to the Secretariat, through the President of the Security Council, to investigate and report to the Council on the activities of the leaders, militia and soldiers of the genocidal former Rwandese Government in view of the existence of information that they were preparing to undertake a forceful intervention into Rwanda.

An in-depth report on the matter has never been provided to the Security Council, despite the urgency of the situation. The Organization has not been able to detect the violation of the arms embargo by the former government leaders; neither has it been able to prevent infiltration of Rwanda and Burundi by elements of the militia and soldiers of the former Rwandese Government. Even more recently, the Secretariat and its representatives continued to state that they do not have sufficient evidence of the scope of the problem.

Meanwhile, the perpetrators of genocide continue rearming themselves with impunity in the presence of an array of United Nations agencies such as the Office of the United Nations High Commissioner for Refugees (UNHCR) as well as international non-governmental organizations (NGOs).

Based on information from UNHCR, this Organization has not been able to detect the rearming of the perpetrators of genocide in spite of the fact that the former Rwandese leaders have been strengthened by the humanitarian assistance provided by UNHCR and other international organizations.

The information provided by the United Nations High Commissioner for Refugees, Ms. Sadako Ogata, to a few selected members of the Security Council in New York in May 1995 did not give the true picture of the situation in the refugee camps in Zaire. There were omissions of key information on the

situation in all the refugee camps and on the interrelationships between those existing camps.

On the other hand, reports from Human Rights Watch, an American NGO, and Amnesty International, based in London, as well as the BBC, provide an abundance of evidence.

In the preliminary report of Human Rights Watch, entitled "Rearming with impunity: international support for the perpetrators of the Rwandan genocide", and in the report of Amnesty International entitled "Arming the perpetrators of the genocide", the two organizations confirm that it is quite evident that the arms embargo imposed on the former genocidal regime in Rwanda is not achieving the objectives set by the Security Council in its resolution 918 (1994) on expansion of United Nations assistance for Rwanda and the imposition of an arms embargo.

The reports confirm that the perpetrators of the Rwandan genocide are rebuilding their military infrastructure in Zaire, have spoken openly of their intention to return to Rwanda and have threatened to wage a war and to complete the genocide they began in April 1994. The former Rwandese government forces are conducting military training in a number of military camps. They also control some of the civilian refugee camps where they control food distribution and engage in theft; prevent the repatriation of refugees through attacks and intimidation; carry out vigilante killings and mutilations of persons suspected of crimes or disloyalty; restrict the movement of persons in and out of the camps; recruit and train young men for incursions into Rwanda and Burundi in support of the extremists from Burundi; and actively launch cross-border raids, inflaming an already tense situation inside Burundi and threatening to expand the conflict throughout the whole region.

Militia members have told Human Rights Watch in interviews that local Zairian authorities have provided the soldiers and militia of the former regime with armed escorts and have permitted them to conduct political, military and propaganda activities in the refugee camps and in some Zairian-owned military bases, as long as those activities are kept out of the view of international relief workers.

Furthermore, Human Rights Watch, Amnesty International and the BBC have persuasive evidence that the former leaders, militia and soldiers of the former Rwandese Government have benefited from the protection and support of several members of the international community, including some members of the Security Council. The reports state that those members have actively aided and abetted the militias and soldiers of the former regime in their efforts to reconstitute themselves, through a combination of direct shipments of arms, facilitating such shipments from other sources, and providing other forms of military assistance, including training, in violation of the arms embargo imposed by the Security Council under resolution 918 (1994).

Such developments have hindered the process of repatriation of refugees, national reconciliation and national reconstruction.

Even though the two human rights organizations have made their reports available to the Secretariat and to all members of the Security Council, to our knowledge, no concrete action has been taken, either by the Secretariat or by the Security Council, despite the fact that its resolution 918 (1994) was targeted at the Rwandese genocidal regime in an attempt to stop that Government from killing its population. A Security Council presidential statement in April 1995 (S/PRST/1995/22) expressed its "deep concern" for the rearming of militia and soldiers of the former genocidal Government of Rwanda. The Sanctions Committee set up one year ago, under resolution 918 (1994) is not yet operational.

The present Government of Rwanda has as its priorities: the return of refugees, national reconciliation and reconstruction as well as the establishment of rule of law, and Security Council resolution 918 (1994) is detrimental to the present Government of Rwanda which has successfully defended the country against the former regime and stopped genocide in Rwanda while the international community failed to act in defence of innocent civilians. This Government must regain its right to ensure the country's security - especially against those who have committed genocide. It should not be disadvantaged and handicapped in defending the Rwandan population by a Security Council resolution or other action by the international community. A country's self-defence is a sovereign right which neither the international community nor the Security Council should restrict, especially for a Government which has shown that it is responsible and has as its primary concern national reconstruction, reconciliation and justice in a secure environment.

Resolution 918 (1994) is preventing the present Government from ensuring the security of its citizens while the United Nations has repeatedly shown itself incapable of ensuring that security, as was evident during the genocide of 1994, when United Nations peace-keeping troops were unable to protect the Rwandan citizens who faced genocide.

The lifting of the arms embargo on the present Government will ensure that the country regains its full sovereignty and its capability to protect its citizens. The capacity to ensure the security of the country is a right and not a privilege. Regaining the freedom to develop that capacity will send a strong signal to a genocidal group that it cannot continue to destabilize the country with impunity.

The arms embargo, which was originally imposed on a genocidal Government, should not be extended to subsequent Governments and to the State of Rwanda. As it presently exists, an arms embargo on Rwanda and its Government is not justifiable. Any preventive measures to be taken have to be focused on the leaders, the soldiers and the militia of the former Government who have violated humanitarian law and on the Governments who continue to support them.

Maintaining this arms embargo as it is presently applied will ensure the opposite of what was intended. It will be a myopic decision which will further the insecurity of Rwanda, Burundi and the subregion.

In conclusion, resolution 918 (1994) is now outdated and is no longer justifiable for the present Government of Rwanda. We therefore request urgent

action to lift the arms embargo on Rwanda to ensure the security of its population and to re-establish its full sovereignty.

The proposal to extend the arms embargo to the former regime would be an inefficient solution to the problem. In view of the fact that the group is already sufficiently armed, that solution is unrealistic and would not prevent the continuation of rearming since arms are ordered in the name of its accomplices.

The Security Council and the international community would have to take the responsibility for the potential aggression of Rwanda by the former regime and must seriously consider the potential for a continuation of insecurity in Rwanda. I would like to remind you that the genocide of 1994 in Rwanda was partly encouraged by the failure of the Security Council and the international community to make timely and appropriate decisions. Those gross mistakes resulted in the death of 1 million Rwandans. Such mistakes should not be repeated.

In the light of the evidence collected by Human Rights Watch, Amnesty International and the BBC of continuing transfers of weapons and other military support by members of the international community to the perpetrators of the Rwandan genocide, my delegation requests the Security Council and the Secretariat to take the following specific actions:

- Take urgent action to lift the present arms embargo on Rwanda which severely inhibits the capability of the present Government of Rwanda to ensure the security of its citizens;

- Request that the Sanctions Committee on the arms embargo set up under resolution 918 (1994) consider reports on arms transfers to the leaders, the militia and the soldiers of the former Rwandese Government, as a matter of urgency, and report thereon to the Security Council;

- Prepare and adopt a resolution to restrict the rearming of the former genocidal Rwandese government leaders and forces regardless of where they are located;

- Deploy United Nations monitors at Kinshasa, Goma, Bukavu and Uvira airports in Zaire with the purpose of restricting the militarization of Rwandan refugee camps in Zaire;

- Request the States Members of the United Nations to implement Security Council resolution 978 (1995) as well as the Security Council presidential statement issued on 27 April 1995 (S/PRST/1995/22).

I would be grateful if you would circulate the present letter as a document of the Security Council.

(Signed) Manzi BAKURAMUTSA
Ambassador
Permanent Representative of
Rwanda to the United Nations

UNITED
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Security Council

Distr.
GENERAL

S/1995/548
9 July 1995

ORIGINAL: ENGLISH

LETTER DATED 9 JULY 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the attached letter, dated today, from my Minister of Foreign Affairs addressed to Your Excellency.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Ivan Z. MISIC
Chargé d'Affaires a.i.

95-20317 (E) 090795 100795

Annex

Letter dated 9 July 1995 from the Minister for Foreign Affairs of the Republic of Bosnia and Herzegovina addressed to the President of the Security Council

I am instructed by my Government to request an emergency session of the Security Council to address the situation in the United Nations designated safe area of Srebrenica, due to the following:

1. There has been an attack on the safe area in Srebrenica, combining tanks, artillery and infantry forces. Yesterday, more than 1,000 shells hit the centre of the enclave.

2. The United Nations observation posts surrounding Srebrenica have been attacked, some have been besieged, and others have been abandoned;

3. In some places, Serb forces have gone as deep as 5 kilometres into the enclave.

This attack and incursion into the United Nations designated safe area is purely aimed at the civilian population, also endangering United Nations troops. We must here remind all that on 8 May 1993, the Bosnian defense units protecting the population and territory of Srebrenica were disarmed by UNPROFOR, in exchange for United Nations and NATO assumption of the responsibility for defending Srebrenica.

In this context, I would like to recall Security Council resolutions 819 (1993), 824 (1993) and 836 (1993), and relevant paragraphs of the NATO decision dated 22 April 1994 on the protection of safe areas, namely, paragraph 8, in which it was agreed that:

> "if the safe areas of Bihac, Srebrenica, Tuzla, or Zepa are attacked by heavy weapons from any range or if, in the common judgement of the NATO Military Commanders and United Nations Military Commanders, there is a concentration of movement of heavy weapons within a radius of 20 kilometres of these areas (within the territory of Bosnia and Herzegovina) which threatens those areas they will, for the purpose of this decision and without further action of the Council, be designated, individually or collectively, military exclusion zones, and due public notice to Governments and to the parties will be given if and when this happens. The exact line of the perimeter of these areas will be established jointly by UNPROFOR and CINCSOUTH."

and paragraph 9, which states, inter alia:

> "in pursuit of these objectives, and in response to the request of the United Nations Secretary-General of 18 April 1994 agreed:
>
> (a) that, with immediate effect, if any Bosnian Serb attacks involving heavy weapons are carried out on the United Nations designated safe areas

of Gorazde, Bihac, Srebrenica, Tuzla and Zepa, these weapons and other Bosnian Serb military assets, as well as their direct and essential military support facilities, including but not limited to fuel installations and munitions sites, will be subject to NATO air strikes, in accordance with the procedural arrangements worked out between NATO and UNPROFOR following the Council's decisions of 2 and 9 August 1993;"

(Signed) Muhamed SACIRBEY
Foreign Minister

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Distr.
GENERAL

S/1995/549
10 July 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 5 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to carry out reconnaissance and cause provocation continued over the period 21-30 June 1995.

21 June 1995

1. Northern region: 15 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

2. Southern region: 48 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Qurnah, Nasiriyah, Samawah, Salman, Jalibah, Artawi and Busayyah.

3. At 2200 hours on 20 June 1995, 10 heat flares were dropped by United States aircraft in the Qurnah area.

22 June 1995

1. Northern region: 25 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Tall Afar, Amadiyah, Dohuk, Ayn Zalah and Zakho.

2. Southern region: 89 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Basra, Nasiriyah, Shatrah, Qurnah, Chabaish and Salman.

23 June 1995

1. Northern region: 27 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Dohuk, Zakho, Aqrah, Tall Afar and Amadiyah.

2. Southern region: 71 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Basra, Qurnah, Chabaish, Salman and Busayyah.

3. At 2048 hours on 23 June 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 2143 hours.

24 June 1995

Southern region: 22 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Qurnah, Jalibah, Artawi, Busayyah and Shanafiyah.

25 June 1995

1. Northern region: 29 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Zakho, Dohuk, Amadiyah, Mosul and Irbil.

2. Southern region: 33 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Artawi, Jalibah, Qurnah, Amarah, Nasiriyah, Samawah and Busayyah.

3. At 0855 hours on 25 June 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 1022 hours.

26 June 1995

1. Northern region: 26 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Dohuk, Tall Afar, Aqrah, Zakho and Amadiyah.

2. Southern region: 62 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Basra, Amarah, Chabaish and Qurnah.

3. On 26 June 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 0855 hours and left in the direction of Kuwait at 1210 hours.

The second flight entered Iraqi airspace at 1215 hours and left in the direction of Kuwait at 1335 hours.

27 June 1995

1. Northern region: 31 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Zakho, Tall Afar and Amadiyah.

2. Southern region: 48 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Qurnah, Nasiriyah, Samawah, Jalibah, Artawi and Busayyah.

28 June 1995

1. Northern region: 15 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Zakho, Amadiyah, Tall Afar, Dohuk, Irbil, Mosul and Ayn Zalah.

2. Southern region: 79 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Artawi, Qurnah, Busayyah, Nasiriyah, Samawah, Salman, Jalibah and Chabaish.

3. On 28 June 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 0732 hours and left in the direction of Kuwait at 0900 hours.

The second flight entered Iraqi airspace at 1130 hours and left in the direction of Kuwait at 1208 hours.

29 June 1995

1. Southern region: 79 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Qurnah, Jalibah, Busayyah, Chabaish, Salman and Artawi.

2. At 0550 hours on 29 June 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 0650 hours.

30 June 1995

1. Northern region: 23 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Tall Afar, Ayn Zalah and Amadiyah.

2. Southern region: 47 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Salman, Jalibah, Artawi and Busayyah.

3. At 0535 hours on 30 June 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 0700 hours.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Security Council

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S/1995/550
10 July 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 6 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the continued violations of the cease-fire resolution and the Tehran agreement concerning the area of separation between Iraq and Iran that were committed by the Iranian side between 30 May 1995 and 24 June 1995, as shown in the list annexed hereto.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

95-20345 (E) 110795 110795 120795

/...

Annex

Iranian violations of the cease-fire and the 1991 Tehran agreement, 30 May-24 June 1995

30 May 1995

At 1930 hours a yellow-coloured Iranian boat crossed the Iraqi border at coordinates 58660. It had a crew of four, armed with GC weapons. Three of them were wearing military uniform, while the fourth, who spoke Arabic, was in mufti. They abducted two fishermen: Jawad Kazim Khudayr and Shakir Qasim Radi, taking them and their boat to the Iranian coast.

1 June 1995

At 0945 hours a group of six soldiers and civilians were observed repairing the Iranian guard post at coordinates 8409, in front of the Chilat post, inside the area of separation.

5 June 1995

The Iranian side brought in 35 soldiers armed with GC weapons to reinforce the following posts:

1. 25 at coordinates 9099788 (Shalamcheh);

2. 7 at coordinates 910811 (Kut Sawadi);

3. 3 at coordinates 902825 (Kut Sawadi).

8 June 1995

At 1040 hours a group of persons from the Iranian side were observed using corrugated iron to reinforce the positions in front of the Fakkah guard post at coordinates 514501, inside the area of separation.

At 1400 hours a group of persons from the Iranian side were seen erecting barbed wire around the Iranian post in front of the Fakkah guard post at coordinates 514501, inside the area of separation.

17 June 1995

At 1000 hours a military helicopter was seen coming from the Iranian rear. It landed at Naft-e Shah at coordinates 445627, and stayed there for five minutes before returning to a distance of one kilometre inside Iranian territory.

20 June 1995

At 1800 hours the Iranian side set up a single-phase submachine gun inside the post at coordinates 986729 (Shalhah).

24 June 1995

At 0810 hours two military helicopters were seen flying at medium altitude at coordinates 8926 (Kashk) before returning to the Iranian rear. At 1000 hours both helicopters came back and landed behind the border post at coordinates 5756. At 1145 hours they returned to the Iranian rear.

24 June 1995

Near Mina' al-Amiq the Iranian side seized an Iraqi fibreglass boat with four fishermen on board. The men, whose names are given below, have yet to return:

1. Khalid Isa Khalil;

2. Adil Abbas Dayih;

3. Jamal Isa Khalil;

4. Fadil Awwad Nasir.

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S/1995/551
10 July 1995

ORIGINAL: ENGLISH

LETTER DATED 10 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith a letter of Mr. Ri Chan Bok, representative of the Panmunjom mission of the Korean People's Army, addressed to Mr. Ray L. Smith, Major General of the United States Marine Corps, dated 4 July 1995.

I would be grateful if you could kindly arrange to have this letter and its annex circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Permanent Representative

Annex

Letter dated 4 July 1995 from Mr. Ri Chan Bok, representative of the Panmunjom mission of the Korean People's Army, addressed to Mr. Ray L. Smith, Major General of the United States Marine Corps

I send this letter in connection with the fact that the recent working-level contact held at Panmunjom for arranging General Officer-level talks between the Democratic People's Republic of Korea and the United States of America has broken down.

The establishment of a new peace mechanism is an urgent pressing task to be solved between the Democratic People's Republic of Korea and the United States both in view of the present state of the armistice system, which has been paralysed by the unilateral action of the United States side, and in the light of the present situation created on the Korean peninsula.

Neither the Armistice Agreement, a scrap of paper, nor the dilapidated armistice mechanism can prevent even a trifling conflict in the demilitarized military zone (DMZ), to say nothing of a war. This is the reality that nobody can deny.

We believe that your side also recognized this fact when responding to our proposal for holding the General Officer-level talks between the Democratic People's Republic of Korea and the United States militaries.

As you know, at the end of last December, the representatives of the Governments and militaries of both countries, the Democratic People's Republic of Korea and the United States held negotiations to resolve the United States Army helicopter incident. The government representatives of both countries, in particular, reached an agreement to keep contact between the Democratic People's Republic of Korea and United States militaries in the future and made their understanding public.

This notwithstanding, at the contact of 22 June last, your side held fast to an unjustifiable assertion that the representatives of the "United Nations Command" member countries should accompany you in the Democratic People's Republic of Korea-United States military talks, even though they have nothing to do with the talks. This is going against your side's own words for the talks.

It throws doubt on whether your side really wants to hold the General Officer-level talks between the militaries of the Democratic People's Republic of Korea and the United States.

That is why, at the last working-level contact, our representative made it clear that our side would have no alternative but to take the necessary measures concerning the status of the DMZ and the Armistice Agreement. If the United States side takes a talk-denying attitude in the long run, its action of breaking off the working-level contact cannot be construed other than as meaning that it has no interest in the establishment of an institutional mechanism to

prevent incidents and conflicts that might happen on the Korean peninsula and has no intention of practically solving the issue of ensuring peace and security in this region.

It is our view that, if both sides, the Democratic People's Republic of Korea and the United States, fail to establish as soon as possible the institutional mechanism to prevent armed conflict on the Korean peninsula, unexpected incidents are certain to occur.

Now fortified positions have been built and a large quantity of heavy and automatic weapons introduced into the southern part of the DMZ, where military provocations against our side are being committed almost every day.

What is worse, of late, the South side has illegally occupied the sacred territory of our Republic by stealthily moving military demarcation line marker Nos. 0781, 0782 and 0783 more than 50 metres into our area.

This is not only an intentional and preplanned territorial encroachment but also an intolerable hostile act.

As you are well aware, we do not tolerate anyone encroaching on the territory of our side even an inch.

As was made clear in the various rounds of working-level contacts, it is our position that the Democratic People's Republic of Korea-United States military talks must be held to prevent the recurrence of such misfortunes as last year's United States Army helicopter incident.

Therefore, our side presented flexible and broad-minded compromise proposals fully considering your insistence, even though it was unreasonable.

There is no change in our position regarding the need to resolve matters through dialogue and negotiation.

However, if the United States side opposes our proposal to the last, we have no choice but to choose the other way.

The further development of the situation entirely depends on the attitude of the United States side. If the United States side is really interested in peace on the Korean Peninsula, it should withdraw its unreasonable allegation and convince us of its position at the negotiation table in Panmunjom.

RI Chan Bok
Lieutenant General
Representative
Panmunjom mission, Korean People's Army

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Security Council

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GENERAL

S/1995/552
9 July 1995

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF PARAGRAPH 6 OF SECURITY COUNCIL RESOLUTION 997 (1995) OF 9 JUNE 1995

I. INTRODUCTION

1. In resolution 997 (1995) adopted on 9 June 1995, the Security Council affirmed that the restrictions imposed under Chapter VII of the Charter of the United Nations by resolution 918 (1994) applied to the sale or supply of arms and matériel specified therein to persons in the States neighbouring Rwanda, if that sale or supply was for the purpose of the use of such arms or matériel within Rwanda. It called upon the States neighbouring Rwanda to take steps, with the aim of putting an end to factors contributing to the destabilization of Rwanda, to ensure that such arms and matériel were not transferred to Rwandan camps within their territories. It requested the Secretary-General to consult the Governments of neighbouring countries on the possibility of the deployment of United Nations military observers, and to consult, as a matter of priority, the Government of Zaire on the deployment of observers, including at the airfields located in eastern Zaire, in order to monitor the sale or supply of arms and matériel. It further requested the Secretary-General to report to the Council on the matter within one month of the adoption of the resolution. The present report is submitted in response to that request.

II. MISSION OF THE SPECIAL ENVOY OF THE SECRETARY-GENERAL TO RWANDA AND NEIGHBOURING COUNTRIES

2. I appointed Mr. Aldo Ajello as my Special Envoy to carry out the consultations requested by the Security Council. He visited the neighbouring countries from 20 to 28 June 1995, accompanied by the senior political adviser of the United Nations Assistance Mission for Rwanda (UNAMIR) and a military assistant to its Force Commander, and met with the following senior government officials: in Burundi, Mr. Sylvestre Ntibantunganya, President, Lt. Col. Sinzoyiheba Firmin, Minister of National Defence, Mr. Nicolas Mayugi, Secretary of State for Foreign Affairs and International Cooperation, Lt. Col. Bayaganakandi Epitace, Administrator General of the "Police de l'air, des frontières et des étrangers", Mr. Audifax Ndabitoreye, Administrator General

of National Documentation; in Rwanda, Major-General Paul Kagame, Vice-President and Minister of Defence; in Uganda, Mr. Kintu Musoke, Prime Minister, Mr. Ben Mbonye, Secretary of Defence; in the United Republic of Tanzania, Mr. David Cleopa Msuya, First Vice-President and Prime Minister, Mr. Richard Mariki, Permanent Secretary in the Ministry of Home Affairs; and in Zaire, Mr. Kengo wa Dondo, Prime Minister, Admiral Mavua Mudima, Vice-Prime Minister and Minister of National Defence, Mr. Diur Katondi, Vice-Minister of International Cooperation. He also met with my Special Representatives in Burundi and Rwanda. He reviewed the current situation in the region, with particular reference to repatriation, reconciliation and reconstruction in Rwanda, with representatives of United Nations agencies and non-governmental organizations (NGOs) and with members of the diplomatic corps in Rwanda. In addition, he visited Rwandan refugee camps in the Goma area of North Kivu in eastern Zaire. He was briefed on various aspects of the refugee situation, including security, by representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR).

3. In his meetings with officials of the neighbouring countries, my Special Envoy emphasized the Security Council's great concern over increasing reports of military activities that threatened to destabilize Rwanda.

4. The Special Envoy's consultations confirmed that the countries concerned shared some important common points of view. All reiterated their support for efforts to prevent the resumption of armed conflict in Rwanda, to ensure the return and resettlement of its refugees and to promote lasting reconciliation. They stressed the link between stability in Rwanda and the situation in the subregion generally and referred to the negative impact the Rwandan crisis was having on humanitarian and environmental conditions. The uncontrolled circulation of arms, including to civilians and refugees in the subregion, was seen as a major cause of destabilization, especially in Rwanda and Burundi. At the same time, measures needed to be taken to halt and reverse the drift towards conflict in the subregion by enhancing inter-State confidence-building, such as the recent decision by the Defence Ministers of Burundi, Rwanda and Zaire to conduct joint military patrols along their common borders. There was agreement that a broader approach, with the involvement of Rwanda and its neighbours and the support of the international community as a whole, would offer better opportunities for a lasting solution to the Rwandan crisis. The authorities in the neighbouring countries expressed the wish to receive concrete assistance from the international community to help them both to deal with the main problems that had followed the conflict in Rwanda and prevent any repetition of such conflict.

5. Officials in Rwanda welcomed the Security Council's initiative in proposing the deployment of military observers in neighbouring countries and characterized it as a step in the right direction. However, they emphasized the need to bring to justice those who had masterminded the genocide. That was required not only to end impunity but also to facilitate genuine reconciliation and promote security by helping to eliminate arbitrary and individual measures of vengeance.

III. RESPONSE OF THE NEIGHBOURING COUNTRIES TO THE PROPOSED DEPLOYMENT OF UNITED NATIONS MILITARY OBSERVERS IN THEIR RESPECTIVE TERRITORIES

6. There were mixed reactions from the Governments of neighbouring countries to the proposal to deploy military observers in their respective countries. Some questioned the utility, relevance and feasibility of the proposed deployment, arguing that it was in Rwanda that international observers should be stationed in order to help to create a climate of confidence that would encourage the refugees to return home and thus reduce the danger of destabilization from refugee camps. It was also stressed that effective political measures to remove fear and suspicion in refugee communities and the countries of asylum were necessary. Even the countries that supported the proposed deployment saw the initiative as essentially a political first step by the international community to underscore its concern over the possible destabilization of Rwanda by military means.

7. The Government of Burundi welcomed the Security Council's initiative. However, President Ntibantunganya said that the creation in Rwanda of conditions conducive to the safe return and resettlement of the refugees could help to deny to the hardliners who wanted to destabilize the country the possibility of arguing that return by force was the only viable option. He welcomed recent statements by the Government of Rwanda that opened up possibilities for contact with the refugees and invited them to visit the country to assess conditions and encourage others in the camps to return home.

8. The Government of the United Republic of Tanzania refused to consider the deployment of military observers in its territory. It suggested instead that the United Nations should strengthen its military presence in Rwanda to ensure that refugees could return home safely and in dignity, and noted that the main obstacle to the return was not in the neighbouring countries but in Rwanda. It felt that the Council's proposal addressed only a minor problem while ignoring the major one. It was ready to consider the deployment of military observers only in a wider context. It suggested the following measures to promote repatriation of refugees and reduce threats of armed action against Rwanda from the refugee camps: the Rwandan Government should issue a public statement declaring unequivocally that it wanted to see all refugees return home; the Government should declare a general amnesty for all Rwandans except "a few who would be tried" for having masterminded the genocide; the Government should accept the deployment inside Rwanda of international observers, who would help to create a climate of confidence by monitoring the situation throughout the country to promote respect for human rights and prevent incidents like that at Kibeho, which tended to hinder repatriation while generating new refugees; and the international community should assist the Government with the smooth resettlement of returnees.

9. Uganda neither objected to the Security Council's proposal nor demonstrated enthusiasm for it. It was sceptical about the effectiveness of such deployment and what it could achieve. It stressed that, instead of tackling the effects of the crisis, the Council should address its causes and identify the countries that were providing support for the delivery of weapons and military training to the former Rwandan government forces. It reaffirmed its commitment to do its

best to consolidate peace in Rwanda and to ensure the peaceful return of the refugees.

10. The Government of Zaire, while expressing support for any effective action that could prevent the destabilization of Rwanda, reiterated its strong denial of recent accusations that it was aiding the former Rwandan government forces with arms and training to enable them to attack Rwanda. It pointed out that it had called for an international commission of inquiry under United Nations auspices to investigate the allegations and clarify the situation conclusively. It had welcomed millions of refugees from Rwanda and Burundi in accordance with applicable international conventions despite the resentment of its own population, which had called for the immediate and unconditional repatriation of the refugees. Instead of being criticized, Zaire felt that it should be assisted by the international community to cope with the immense ecological, socio-economic, security and political burdens imposed on the Government and the country by the refugees.

11. Zaire's views were also conveyed to me in a letter dated 23 June 1995, in which Prime Minister Kengo wa Dondo pointed to his country's contribution, in response to a request by UNHCR, of 1,500 troops, who are deployed for security protection in the Rwandan refugee camps, and to its unilateral action in disarming the former Rwandan government forces soldiers who had fled to Zaire. These actions were evidence of Zaire's cooperation and its determination to prevent insecurity in the camps and the destabilization of Rwanda from Zairian territory.

12. My Special Envoy's visit to the refugee camps in the Goma area suggested that the relocation of camps farther away from the borders with Rwanda could facilitate efforts to curb the threat of destabilization. However, the huge costs and logistical difficulties of such an operation, as well as the fear that it would be resisted by the population of the countries of refuge, have prevented concrete action in this regard. Government officials in Zaire explained that to move the refugees further inside their territory could be seen by the population as implying, that rather than the repatriation, which the population had called for, the refugees were being resettled for a longer and perhaps permanent stay in Zaire. The Tanzanian authorities, citing recent attempts by thousands of Rwandan refugees in Burundi to enter Tanzanian territory, criticized any effort aimed at transferring refugees from one country of refuge to another.

IV. CONCLUSION

13. There is growing recognition in the Great Lakes region not only of the urgency and gravity of the risks confronting the countries of the region but also of the need for the Governments concerned to take individual and collective measures to address these dangers. While many of the Governments consulted by my Special Envoy took the view that the primary responsibility lay with the Government of Rwanda, there was general acknowledgement also of the value of action at the regional level. However, the Special Envoy's consultations indicated that in some countries there was strong opposition to the deployment of United Nations observers as proposed in Security Council resolution

997 (1995). While I am in the region in the coming days, I shall explore further the positions of the Governments concerned.

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General Assembly
Security Council

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A/50/274
S/1995/553
10 July 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 70 (l) of the preliminary list*
GENERAL AND COMPLETE DISARMAMENT:
NON-PROLIFERATION OF WEAPONS OF
MASS DESTRUCTION AND OF VEHICLES
FOR THEIR DELIVERY IN ALL ITS ASPECTS

SECURITY COUNCIL
Fiftieth year

Letter dated 3 July 1995 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a statement made by the United States Government on 1 July 1995, the occasion of the twenty-seventh anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons.

May I ask for your kind assistance in circulating the statement as a document of the General Assembly, under item 70 (l) of the preliminary list, and of the Security Council.

(Signed) Madeleine K. ALBRIGHT

* A/50/50/Rev.1.

Annex

Statement on the occasion of the twenty-seventh anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons, 1 July 1995

On 1 July 1968, President Lyndon Johnson and representatives from 60 other countries signed the Treaty on the Non-Proliferation of Nuclear Weapons in the East Room of the White House. Since the Treaty was signed and entered into force in 1970, the Treaty on the Non-Proliferation of Nuclear Weapons has achieved truly historic importance.

As of 1 July 1995, over 170 countries have become non-nuclear-weapon States parties to the Treaty, thereby making a legally binding commitment not to develop or acquire nuclear weapons. In addition, each one of the 179 States parties, including the 5 nuclear-weapon States, has agreed to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains our ultimate goal.

The last 12 months have been extremely productive for achieving our twin objectives of limiting the spread of nuclear weapons and reducing their number. Most importantly, in May 1995, the State parties to the Treaty on the Non-Proliferation of Nuclear Weapons decided, without conditions, that the Treaty would continue in force indefinitely in accordance with article X.2 of the Treaty.

Other recent developments have also contributed to reducing the threat of nuclear war.

Since 1 July last year, 15 countries have become parties to the Treaty on the Non-Proliferation of Nuclear Weapons as non-nuclear-weapon States, including Algeria, Argentina, Chile and Ukraine, all of which have peaceful nuclear facilities. There remain only 10 countries in the world that are not bound by the Treaty or other comparable agreements. Of these 10, only 3 countries have not placed all their nuclear facilities under International Atomic Energy Agency (IAEA) safeguards.

The United States has continued to dismantle nuclear weapons at a rate of between 1,000 and 2,000 per year. For the first time, the United States has placed nuclear weapons material from its stockpile under IAEA safeguards.

In December 1994, the United States and the Russian Federation, together with Ukraine, Belarus and Kazakstan, brought the Strategic Arms Reduction Treaty (START I) into force. Nine thousand nuclear weapons from United States and former Soviet strategic delivery vehicles will have been removed from deployment when the Treaty is fully implemented.

In his 21 January 1995 State of the Union address, President Clinton called upon the Senate to approve START II. The Senate responded by beginning START II hearings on 31 January. When START II is fully implemented, an additional

5,000 nuclear weapons will have been removed from the deployed arsenals of the United States and the Russian Federation.

Also in January, the United States extended its moratorium on nuclear-weapon testing until a comprehensive test-ban treaty enters into force, on the assumption that such a treaty will be signed by 30 September 1996.

In March, President Clinton announced that the United States would withdraw permanently 200 metric tons of nuclear weapons material from its stockpile. The United States will also reduce its stockpile of high enriched uranium from nuclear weapons by converting it to low enriched uranium for use in power reactors. The United States has also agreed to purchase 500 metric tons of high enriched uranium, previously used in dismantled Russian nuclear weapons, which has been converted to low enriched uranium for use in power reactors.

Also in March, the Conference on Disarmament agreed to establish an ad hoc committee to negotiate a multilateral ban on the production of fissile material for nuclear weapons or other nuclear explosive devices. The United States and the Russian Federation have agreed to cease production of plutonium for use in nuclear explosive devices. In April, the United Kingdom of Great Britain and Northern Ireland announced that it no longer produced fissile material for nuclear weapons.

In April, the United States, the United Kingdom of Great Britain and Northern Ireland, the Russian Federation and France harmonized their policies prohibiting the use of nuclear weapons against non-nuclear-weapon States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the unlikely event of an attack by a non-nuclear-weapon State allied or associated with a nuclear-weapon State against a nuclear-weapon State or its allies.

On 11 April, the United Nations Security Council adopted by consensus resolution 984 (1995), setting forth, in unprecedented detail, the means by which to respond in the event that a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons is subject to nuclear aggression or threat of such aggression.

At the 1995 Treaty on the Non-Proliferation of Nuclear Weapons Review and Extension Conference, the parties to the Treaty agreed on an ambitious agenda including the adoption of the following measures and undertakings:

(a) Universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons as an urgent priority;

(b) A universal and internationally and effectively verifiable comprehensive test-ban treaty no later than 1996; pending entry into force of such a treaty, the nuclear-weapon States should exercise the "utmost restraint";

(c) A convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices;

(d) The determined pursuit of systematic and progressive efforts to reduce nuclear weapons globally;

(e) The development of nuclear-weapon-free zones as well as the establishment of zones free of all weapons of mass destruction should be encouraged as a matter of priority;

(f) Full-scope IAEA safeguards as a condition of supplying nuclear equipment and material;

(g) Increasing the capability of IAEA to detect undeclared nuclear activities.

The Treaty on the Non-Proliferation of Nuclear Weapons parties also agreed to strengthening and making more substantive the Treaty's review process.

The United States fully supports this agenda and looks forward to its substantial implementation by the time of the next Treaty on the Non-Proliferation of Nuclear Weapons review conference in the year 2000. In this context, we continue to urge all of the nuclear-weapon States to join in a global moratorium on nuclear-weapon testing as we work to complete a comprehensive test-ban treaty at the earliest possible time.

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Security Council

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S/1995/554
10 July 1995

ORIGINAL: ENGLISH

LETTER DATED 10 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF LEBANON TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that the Government of Lebanon has decided to request the Security Council to extend the mandate of the United Nations Interim Force in Lebanon (UNIFIL), which expires on 31 July 1995, for a further interim period of six months, on the basis of the provisions of Security Council resolutions 425 (1978), 426 (1978), 501 (1982), 508 (1982), 509 (1982) and all other relevant resolutions and decisions of the Council.

My Government is pleased to report that the national reconstruction and rehabilitation process is proceeding. The construction of the new commercial centre in downtown Beirut is under way. The return of displaced persons is taking place. The national infrastructure is being modernized. Priority is being given to basic services such as telecommunications, electricity, transportation, schools, hospitals and waterworks.

My Government is also pleased to report that the command of UNIFIL and the Lebanese authorities continue to coordinate in perfect harmony with the goal of deploying the Lebanese Army throughout the southern part of the country up to its internationally recognized boundaries.

Despite the satisfactory economic performance and the progress and acceleration of reconstruction, Israel's continuous occupation of South Lebanon and its continued aggression against Lebanon and its citizens remain the major obstacle to comprehensive national recovery. The Israeli Army continues to shell villages and towns in Lebanon. Aerial bombardments have taken place in 1995, killing and injuring many civilians and destroying property, in repeated violation of Lebanese sovereignty and territorial integrity.

It is most regrettable that Israel, despite its participation in the ongoing Middle East peace process launched at Madrid in October 1991, continues its unabated attacks on Lebanon by land, sea and air. Furthermore, for the past five months, Israel has blockaded the southern coastline of Lebanon, extending north up to the town of Saida, in violation of the Charter of the United Nations, Security Council resolutions and

international law. This blockade constitutes a major economic and social problem, especially for the fishermen in the South who are prevented from pursuing their livelihood.

Furthermore, Israel still refuses to allow the International Committee of the Red Cross to visit the hundreds of innocent Lebanese detainees held for years in the notorious camps of Al-Khiam and Marjayoun in South Lebanon, and manned by the Israelis in violation of the Geneva Convention. Many of the detainees are suffering from serious diseases as a result of harsh living conditions, subjection to ill-treatment and denial of medical care. Others have died in the camps or shortly after being released. The detainees have been subjected to physical and mental torture in further violation of the Universal Declaration of Human Rights.

Lebanon remains wholly committed to the Middle East peace process in order to achieve a comprehensive, just and lasting peace in the Middle East based on Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). Lebanon agreed to participate in the Madrid Peace Conference and subsequent rounds of negotiations in Washington on the basis of resolution 425 (1978), as was confirmed by the letter of assurances dated 18 October 1991 from the Government of the United States of America, as co-sponsor of the Conference, to the Government of Lebanon. It was Lebanon's clear understanding that the Middle East peace process would provide the framework within which Israel would implement resolution 425 (1978).

In view of Israel's continued aggressions against Lebanon and their threat to the peace process, it must be underscored that the implementation of resolution 425 (1978) remains the only way to stop the violence in southern Lebanon. Towards this end, the Council could play a positive role in securing peace for the region by demonstrating the inviolability of its resolutions and undertaking long overdue measures to implement resolution 425 (1978). This would enable the Government of Lebanon to re-establish law and order throughout the entire south of the country by extending its authority up to its internationally recognized boundaries.

The Government of Lebanon considers that the operational strength and capacity of UNIFIL should be maintained, with a view to implementing resolution 425 (1978) in full. In this context, UNIFIL represents the international community's commitment to Lebanon and to the restoration of its full sovereignty and territorial integrity. Its support and humanitarian assistance are vital to the civilian population, but cannot be a substitute for the fulfilment of its original mandate as stipulated in resolution 425 (1978). UNIFIL's role as an interim force is to ensure the withdrawal of all Israeli forces from Lebanon and to assist the Government of Lebanon in re-establishing its legitimate and effective authority in the area, through its army and internal security forces.

The Government of Lebanon avails itself of this opportunity to pay tribute to the UNIFIL command, administrators, troops and troop-contributing countries for their noble efforts and sacrifices made in the cause of peace. It expresses deep appreciation to the Secretary-General and his assistants for their tireless

efforts, which contribute to the valuable presence of UNIFIL in southern Lebanon.

I would be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

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General Assembly
Security Council

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A/50/275
S/1995/555
10 July 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 111 of the preliminary list*
REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

SECURITY COUNCIL
Fiftieth year

Letter dated 10 July 1995 from the Permanent Representative of the United Republic of Tanzania to the United Nations addressed to the Secretary-General

I have the honour to forward herewith a press statement by the Acting Minister for Foreign Affairs and International Cooperation, the Honourable Samuel J. Sitta, delivered on 19 June 1995, regarding the explosive refugee situation in the United Republic of Tanzania, resulting from its neighbouring countries, Burundi and Rwanda.

I should be grateful if you could arrange to have the present letter and its annex circulated as a document of the General Assembly, under item 111 of the preliminary list, and of the Security Council.

(Signed) Daudi N. MWAKAWAGO
Permanent Representative

* A/50/50/Rev.1.

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ANNEX

Press statement by the Honourable Samuel J. Sitta, Acting Minister for Foreign Affairs and International Cooperation, delivered on 19 June 1995

The United Republic of Tanzania is at present hosting over 1,430,000 refugees. Refugees from Rwanda and Burundi constitute over half of this number. The track record of the United Republic of Tanzania regarding refugee influxes into the country since independence and the manner in which those unfortunate people have been welcomed and treated is undisputed. The United Republic of Tanzania has provided asylum to hundreds of thousands of refugees not only from Rwanda and Burundi but also from other countries such as Zaire, Somalia, Mozambique, the Sudan, Uganda, Malawi, South Africa, Namibia, Angola, Zimbabwe, the Comoros, Seychelles, Ethiopia, Cape Verde and even the former Yugoslavia. The Government has even given citizenship to some of those refugees, thus making them members of the Tanzanian community. But, after a period of time, refugees from nearly all neighbouring countries have gone back to their countries because peace, justice and the political situations in those countries improved. Quite different from that trend, refugees from Rwanda and Burundi, from 1993 to the present time, have continued to pour into the United Republic of Tanzania. Ethnic differences, and the lack of good governance and accountability, make these two countries refugee-generating States. The United Republic of Tanzania cannot afford to take more than it can absorb and any move from Burundi or Rwanda will be met with equal force. The world should understand us.

Speaking of Rwanda, reference should be made to the Arusha accord, particularly to the articles on power-sharing and the return of refugees. If we reread the accord, you will agree with the United Republic of Tanzania that the plight and the solution, by and large, are enshrined therein. In order to avoid any future outbreak of ethnic tensions in Rwanda, we call upon the Rwandan Government to create the correct political atmosphere in the country by creating a government of national unity, thus defusing any resentments that could lead to regroupings for a renewal of war in the subregion.

Efforts at implementing the Bujumbura plan of action, particularly after signing the tripartite voluntary repatriation agreement with the Government of Rwanda on 12 April 1995, have not helped much, even in restoring normalcy in the refugee camps. The implementation part of the initiative taken at the Nairobi regional summit, on 7 January 1995, has been a disappointment in that the international community has not been able to provide the required funds and logistical inputs. While the international community is putting pressure on the United Republic of Tanzania to accept its international obligation regarding refugees, more action should be taken with regard to international burden-sharing as far as the refugees are concerned.

As to Burundi, a new exodus of refugees was prompted by ethnic unrest and increased violence at the end of March 1995. Rwandan refugees who had settled in Burundi were forced out of their designated camps; yet, the international community expected the United Republic of Tanzania to continue to honour its international responsibility by accepting them on its soil while Burundi chased

them out. Double standards cannot be entertained, particularly at this time when mass migration threatens the very survival of our State. The Convention signed by the Government of Burundi in September 1994 offers a brilliant opportunity to solve the crisis. The ongoing killings do not augur well for a peaceful settlement of the conflict. We condemn, in the strongest terms possible, the ongoing carnage. No excuse whatsoever is acceptable to any civilized society. The Tanzanian Government, therefore, calls upon the Burundi Army and the opposing factional militia groups to respect human life. The role of the Army and of the Government is to protect the sovereignty of Burundi. We call upon present and past political leaders to stop advocating their political programmes based on ethnicity. This conflict must be resolved internally and the United Republic of Tanzania should not be expected to produce a miracle solution outside a framework involving internal forces. Owing to the prevailing political instability we are witnessing in Burundi, the United Republic of Tanzania will continue to deploy its troops along the border area in order to protect the Tanzanian local population, and in order to avoid further Burundi/Rwanda refugee influxes into the country.

The continued presence of refugees in the United Republic of Tanzania is a serious cause of insecurity for our country and a potential cause of conflict with our neighbours. In addition, the huge refugee population has a devastating effect on our country's economy, infrastructure and environment. Social services like water, health and education have deteriorated and food security has been endangered. Furthermore, some refugees are involved in criminal offences, thus increasing resentment by the local population.

While recognizing the spirit of solving the refugee problem, which was initiated by the United Republic of Tanzania during the reconciliation talks in Arusha, by the Presidents of the United Republic of Tanzania and Zaire at Gbadolite on 22 and 23 December 1994 and followed by the Nairobi summit in January 1995, it is pertinent that the onus of responsibility is on the authorities of both Burundi and Rwanda to create conditions conducive to the safe return of refugees to their countries of origin. The United Republic of Tanzania remains committed to the Convention on Refugees adopted by the Organization of African Unity in 1969 and our record on this is self-evident.

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GENERAL ASSEMBLY
Forty-ninth session
Agenda item 15 (c)
ELECTIONS TO FILL VACANCIES IN PRINCIPAL ORGANS: ELECTION OF A MEMBER OF THE INTERNATIONAL COURT OF JUSTICE

SECURITY COUNCIL
Fiftieth year

List of candidates nominated by national groups

Note by the Secretary-General

1. By a communication dated 3 April 1995 addressed to States parties to the Statute of the International Court of Justice, the Secretary-General drew attention to the resignation of Judge Sir Robert Yewdall Jennings (United Kingdom of Great Britain and Northern Ireland) taking effect on 10 July 1995, which would result in a vacancy in the Court. In the same communication, the Secretary-General, in accordance with Article 5, paragraph 1, of the Statute of the Court, invited the national groups of States parties to the Statute to undertake the nomination of persons in a position to accept the duties of a member of the Court. The Secretary-General further requested that nominations should be received no later than 21 June 1995. The nominations thus received appeared in a note by the Secretary-General (A/49/932-S/1995/528).

2. The Secretary-General received the following nominations by national groups after 21 June 1995:

Name and nationality	Nominated by the national group of
Ms. Rosalyn Higgins (United Kingdom of Great Britain and Northern Ireland)	Mauritius (5 July 1995: date of receipt) Portugal (27 June 1995: date of receipt) Venezuela (7 July 1995: date of receipt)

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11 July 1995

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GENERAL ASSEMBLY
Forty-ninth session
Agenda item 15 (c)
ELECTIONS TO FILL VACANCIES IN PRINCIPAL ORGANS: ELECTION OF A MEMBER OF THE INTERNATIONAL COURT OF JUSTICE

SECURITY COUNCIL
Fiftieth year

List of candidates nominated by national groups

Note by the Secretary-General

Addendum

Further to the Secretary-General's note of 10 July 1995 (A/49/940-S/1995/556), which contained the name of the candidate nominated by national groups received by him after 21 June 1995, the deadline for receiving nominations, the following nomination should be added:

Name and nationality	Nominated by the national group of
Ms. Rosalyn Higgins (United Kingdom of Great Britain and Northern Ireland)	Mexico (11 July 1995: date of receipt)

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Security Council

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S/1995/557
11 July 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 10 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that at 0415 hours on 9 July 1995 elements of the Iranian Guard who had infiltrated into Iraqi territory attacked an Iraqi civilian location some 100 kilometres north-east of Baghdad, firing five 107-millimetre Katyusha-type rockets. The attack caused damage to civilian property.

The Government of the Republic of Iraq reiterates its strong condemnation of such aggression, which is both unwarranted and out of keeping with the good faith that Iraq is demonstrating in a sincere desire to restore mutual confidence and establish and develop normal relations between the two countries in such a way as to promote security and stability in the region. Iraq urges the Iranian Government to desist from engaging in hostile acts that are incompatible with the norms of international law and the Charter of the United Nations, and it warns it of the consequences of any repetition of such acts. The Government of Iraq affirms its legitimate right to do all that it deems appropriate in order to safeguard the country's territorial integrity, the inviolability of its airspace and territorial waters and the security of its people, in accordance with the provisions of the Charter of the United Nations, while reserving its right to seek full compensation for the damage caused by such aggression under international law.

I request you to intervene, as is required of you by the responsibility entrusted to you under the Charter of the United Nations, in order to prevent any repetition of such unwarranted acts and so that stability and security may prevail in the region.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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S/1995/558
11 July 1995
ENGLISH
ORIGINAL: ENGLISH AND
RUSSIAN

LETTER DATED 11 JULY 1995 FROM THE REPRESENTATIVES OF FINLAND AND THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

At the request of the Co-Chairmen of the Minsk Conference of the Organization for Security and Cooperation in Europe, we have the honour to transmit their letter of 5 July 1995 addressed to you (see annex).

Please have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) F. W. BREITENSTEIN
Ambassador
Permanent Representative
of Finland to the United Nations

(Signed) V. SIDOROV
Ambassador
Acting Permanent Representative
of the Russian Federation
to the United Nations

95-20543 (E) 110795 120795

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Annex

Letter dated 5 July 1995 from the Co-Chairmen of the Minsk Conference of the Organization for Security and Cooperation in Europe addressed to the President of the Security Council

In connection with the statement by the President of the United Nations Security Council of 26 April 1995 (S/PRST/1995/21) and after consultation with the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), we are submitting to the Security Council the latest progress report on the Minsk process and the efforts undertaken within the framework of that process with a view to the peaceful resolution of the Nagorny Karabakh conflict.

During the period that has elapsed since the last report (S/1995/321, annex), two rounds of talks have taken place between the parties to the conflict (in Moscow from 15 to 18 May and in Helsinki from 15 to 19 June), following which consultations have been held by the delegations of the Minsk Group participating States, some of which have included the representatives of the parties.

The Co-Chairmen note that the talks aimed at a political agreement on the cessation of the armed conflict have taken place in a businesslike atmosphere, thus facilitating the negotiation of a number of provisions to be included in a draft of the aforementioned agreement. They appealed to the conflicting parties to continue negotiations without preconditions and linkages with other questions, to demonstrate perseverance in overcoming difficulties, to ensure the stability and irreversibility of the negotiations, bearing in mind the crucial importance of the conclusion of this agreement for effective assistance to be provided by the international community in the resolution of the conflict and, in particular, for the deployment of the multinational OSCE peace-keeping operation. Alongside the work on a draft agreement, the parties have engaged in a parallel discussion of issues of key importance to the comprehensive settlement of the conflict.

It is a source of great satisfaction that, thanks to the restraint shown by the parties to the conflict for more than 13 months, the cease-fire in the Nagorny Karabakh area of conflict has, on the whole, been observed. A factor of particular significance from the point of view of preventing a renewal of hostilities has been the utilization of the mechanism of direct contacts between the parties with a view to the settlement of potential incidents.

Great alarm has been caused by the acts of sabotage directed against communication routes linking Armenia with the outside world. The Chairman-in-Office of OSCE and the Co-Chairmen of the OSCE Minsk Conference issued a statement on 25 May condemning acts of terrorism and sabotage in the conflict region.

The Co-Chairmen have continued to argue for the taking of confidence-building measures by the parties. In connection with the first anniversary of the cease-fire and international appeals from many quarters, the Republic of

Armenia released all prisoners and detainees and repatriated them to Baku. In response, the Azerbaijani Republic made an important reciprocal move. Certain steps were also taken by the Nagorny Karabakh leadership. It is essential to urgently complete this important humanitarian action for the release of all prisoners and detainees in close cooperation with the International Committee of the Red Cross. The Minsk Group participating States have called on the leaders of the parties to the conflict to declare an amnesty for those who participated in the armed conflict.

The participating States of OSCE have continued to give their attention to the efforts being made to settle the conflict within the framework of the Minsk process. The High-Level Planning Group has continued its efforts to plan a multinational OSCE peace-keeping operation. This work is proceeding under the guidance of the OSCE Chairman-in-Office, who is endeavouring to obtain the necessary international support for this operation and intends very shortly to appoint a personal representative and field representatives in the region.

The report by the Co-Chairmanship of the Minsk Conference on the progress made in the negotiating process was delivered at a meeting of the OSCE Permanent Council on 29 June. The members of the Council expressed their support for the efforts being made to settle the conflict within the framework of the Minsk process.

The Co-Chairmen intend to conduct consultations with the parties in the conflict region at the earliest possible date and then to convene a meeting of the Minsk Group with the participation of the parties in Baden, Austria, in the latter half of July.

(Signed) H. TALVITIE
Co-Chairman of the OSCE
Minsk Conference

(Signed) V. LOZINSKY
Co-Chairman of the OSCE
Minsk Conference

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11 July 1995
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LETTER DATED 11 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF EGYPT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a letter dated 10 July 1995 addressed to you by Mr. Amr Moussa, the Minister for Foreign Affairs of the Arab Republic of Egypt, in response to the two letters addressed to you on 29 June and 6 July 1995 by the Minister for Foreign Affairs of the Republic of the Sudan.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) D. Nabil ELARABY
Ambassador
Permanent Representative

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Annex

Letter dated 10 July 1995 from the Egyptian Minister for Foreign Affairs addressed to the President of the Security Council

Sir,

The Sudanese Minister for Foreign Affairs has addressed to you several letters on the subject of what he has termed Egyptian aggression against the Sudanese province of Halaib. Two of these letters, dated 29 June and 6 July 1995 respectively, contained all sorts of mendacious allegations in contradiction of historical reality and established legal facts, and I condemned their fallaciousness in correspondence I addressed to you on this matter on 3 and 14 January and 30 May 1993.

Before responding to these allegations, I wish to emphasize that the contents of the above letters may be explained by the aberrant policy of the current Sudanese Government, which has adopted a hostile attitude towards its neighbours, including Egypt, and which finds itself increasingly isolated and is regularly accused, with abundant supporting evidence, of supporting the violent terrorist movements which have appeared in a number of Arab and African countries.

In response to the accusations contained in the two letters, I wish to state the following:

1. Since Sudan's accession to independence in 1956, and to date, all the territories situated to the north of the 22nd parallel have been under Egyptian sovereignty. This is a fact attested to by history and law. Thus the Sudanese claims disputing Egyptian sovereignty over the Halaib region are devoid of any historical or legal foundation. They are nothing more than futile demands, contrary to a correct legal interpretation of the nature of the provisional arrangements made for the benefit of certain Sudanese tribes in a desire to strengthen links between the two peoples. It must be emphasized in this regard that in dealing with such problems it is important to adhere to attested historical and legal facts, while taking into account good-neighbourly relations and the links which have always united Egypt and Sudan.

2. The increasingly virulent tone adopted by the Sudanese Government in the letters it has addressed to the Security Council on this matter may be explained by its desire to avoid the potential international repercussions of the unfriendly policies which it has adopted towards a great many of its neighbours in Africa and the Middle East, the details and regional and international impact of which are well known to you and the members of your august assembly.

3. The unfriendly acts of the Sudanese Government and the excesses which it has engaged in on many occasions against Egypt, its President, Government and people, undermine the friendly relations between the two peoples. Furthermore, these acts have taken on a distinctly hostile tone. Thus, several Egyptian citizens resident in the Sudan have been arrested in a completely arbitrary

manner and imprisoned or subjected to other forms of detention without trial and without any charge having been brought against them. Moreover, Egyptian property in the Sudan, including property of the Egyptian diplomatic mission, has been confiscated, in violation of conventions and recognized norms of international law. In addition, the Sudanese regime has persisted in campaigns and acts which are hostile to Egypt, fabricated facts from nothing and attempted to foster belief in a so-called Egyptian threat in order to undermine the Egyptian Government as well as relations between the two peoples. Lastly, it has recently threatened to denounce the provisions of the agreement currently in force on the waters of the Nile, which is binding on both countries.

4. The Egyptian Government has hitherto refrained from complaining to the Security Council of these acts because it sincerely believed that the historical relations between the Egyptian and the Sudanese peoples would enable a solution to the problem to be found by means of bilateral negotiations.

We now note with regret that the letters addressed to the Security Council by the Sudanese Minister for Foreign Affairs contain all sorts of mendacious allegations which are nothing other than instruments of propaganda aimed at artificially aggravating the situation, purely for domestic purposes, in disregard of the historical links uniting the two countries.

The Egyptian Government, fundamentally attached to the historical links uniting Egypt and Sudan, wishes relations between the two countries to be peaceful and for peace to reign among all the States of the region. In order to attain such an objective, it is essential for all States to respect established rules governing relations among States, to comply with the principles and objectives of the United Nations, and therefore, to cease supporting terrorism, sowing terror throughout entire societies, resorting to sabotage, following extremist policies, betraying the true religion, and distorting thought. These are the measures that we call upon the Sudanese Government and its regime to undertake.

Amr MOUSSA
Minister for Foreign Affairs